REMARKS

Applicant thanks the Examiner for the interview conducted with the undersigned on June 4, 2003, at which the pending application and copending U.S. Application No. 10/067,973 were discussed. Applicant has amended the claims as discussed at the interview.

Claims 1-40 are pending with claims 1 and 34 being independent. Claims 1, 25, 26, 34, 35, and 37 have been amended.

Independent 1 relates to a game including a toy figure, a first game system, and a second game system. Claim 1 has been amended to recite that each of the game systems is configured to provide a representation of the toy figure when the game system communicates with the toy figure.

Independent claim 34 relates to a game including a toy and a game system. The game system includes an input mechanism and a controller. The controller is configured to, among other things, present a representation of the toy when the game system communicates with the toy based on the stored information relating to the toy.

The Examiner has rejected claims 1-40 as being obvious over U.S. Patent No. 6,012,961 (Sharpe) in view of U.S. Patent No. 5,752,880 (Gabai) and U.S. Patent No. 5,746,602 (Kikinis). Applicant requests withdrawal of this rejection because the references, alone or in combination, fail to describe or suggest a game system that provides a representation of a toy figure when the game system communicates with the toy figure (claim 1) or a game system that presents a representation of a toy when the game system communicates with the toy (claim 34).

Sharpe relates to a toy that has re-writeable memory such that a user can download information from a computer into the toy memory to alter operating characteristics of the toy. See Sharpe at col. 1, lines 7-13. Sharpe's computer does not provide or present a representation of the toy but merely provides a device for generating audio and control data for the toy. See Sharpe at col. 6, lines 49-64. Accordingly, Sharpe fails to describe or suggest a game system that provides a representation of a toy figure when the game system communicates with the toy figure, as recited in claim 1, or a game system that presents a representation of a toy when the game system communicates with the toy, as recited in claim 34.

Gabai also fails to describe or suggest a game system that provides a representation of a toy figure when the game system communicates with the toy figure, as recited in claim 1, or a game system that presents a representation of a toy when the game system communicates with the toy, as recited in claim 34. Gabai relates to a toy that communicates with a computer system. See Gabai at abstract and col. 2, lines 1-8. As discussed with the Examiner at the interview, when Gabai's computer system communicates with the toy, the computer system stops displaying the image of the toy. See Gabai at col. 9, lines 24-60 and Figs. 2A-2C. In particular, Gabai explains "[t]he computer 100, having received a message via the computer radio interface 110 from the toy 122, no longer displays the animated object 160 corresponding to the toy 122." See Gabai at col. 9, lines 37-41. Accordingly, Gabai fails to describe or suggest a game system that provides a representation of a toy figure when the game system communicates with the toy figure, as recited in claim 1, or a game system that presents a representation of a toy when the game system communicates with the toy, as recited in claim 34.

Lastly, Kikinis fails to describe or suggest a game system that provides a representation of a toy figure when the game system communicates with the toy figure, as recited in claim 1, or a game system that presents a representation of a toy when the game system communicates with the toy, as recited in claim 34. Kikinis relates to a doll adapted to communicate with a computer. See Kikinis at abstract and col. 5, lines 16-25. When the doll is communicating with the computer, the user can control operation of the physical doll indirectly through the computer. See Kikinis at col. 3, lines 23-53 and line 66 to col. 4, line 17. However, Kikinis' computer never provides a representation of the doll. Thus, Kikinis fails to describe or suggest a game system that provides a representation of a toy figure when the game system communicates with the toy figure, as recited in claim 1, or a game system that presents a representation of a toy when the game system communicates with the toy, as recited in claim 34.

Accordingly, since all of the cited references fail to describe or suggest a game system that provides a representation of a toy figure when the game system communicates with the toy figure, as recited in claim 1, or a game system that presents a representation of a toy when the game system communicates with the toy, as recited in claim 34, any combination of those

references similarly fails. Thus, independent claims 1 and 34 are allowable over the combination of Sharpe, Gabai, and Kikinis.

Claims 2-33 and 35-40 each depend from one of the independent claims and are allowable for at least the reasons that the independent claims are allowable and for containing allowable subject matter in their own right. For example, claim 10 recites that input received from a user comprises input relating to control of the representation of the toy figure during game play. None of the cited art describes or suggests receiving input relating to control of the representation of a toy figure during game play. As another example, claim 25 recites that providing a representation of the toy figure includes providing a visual representation of a toy figure. None of the cited art describes or suggests a game system that provides a visual representation of a toy figure when the game system communicates with the toy figure.

Applicant asks that all claims be allowed in view of the amendment to the claims.

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Respectfully submitted,

Date: August 4, 2003

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